

Club Complaints Procedure

1. Introduction

Whilst every effort is made to ensure that a youth/mini soccer football experience is hopefully trouble free, fun and enjoyable there may be times when problems do occur. This is why there is a requirement to have both informal and formal procedures to facilitate problem solving in the Youth Football Club environment.

2. Grievance & Complaints Procedure

The grievance\complaints procedure applies to all Club Members, Officials and Players as soon as they join the football Club and coincides with the respective Codes of Conduct. At any meeting under the complaints procedure, a person may be accompanied by another Club Member, a Club Official or a supporting person. Similarly the Club may have another person present. If the problem is not personal or urgent, but may have wider application, the person may wish instead to raise their problem with a Team or Club Official. Alternatively personal complaints and grievances are sometimes best resolved informally with the respective Team Manager and you may wish to try this before initiating a formal grievance.

3. Raising a Grievance

You should, in the first instance, approach your respective Team Manager (or a Club Official if the grievance is against the Manager) and notify them that you are raising a grievance/ complaint. You must provide to your Team Manager or Club Official (normally the Club Secretary) a written statement (either hard copy or Email) explaining your grievance and the basis of it. All relevant points should be clarified in the statement. You will normally then be invited within 14 days of presenting the grievance to attend a meeting to discuss it. You must take all reasonable steps to attend the meeting. Unless further investigation is required following the meeting, you will be advised in writing of the outcome within 14 days or as soon as practicable after that. During an investigation if for some reason there is a delay in establishing outcomes for whatever circumstance all parties will be informed in writing by lead person responsible for heading the investigation.

a) Parent/Player complaint

i. Any formal complaint raised by either a parent or a player regarding another parent, player or Club Official should normally be addressed to the Manager of that age group in the first instance who will endeavour to resolve the complaint. If the complaint concerns the age-group Manager themselves, clause iv. below applies.

ii. If the Manager does not feel able to deal with the complaint internally, then the complaint will be dealt with by the Club Management Committee.

iii. In some cases, if the Management Committee feels that the complaint to be of a serious nature then advice may be sought from a League Official or from the CFA Office.

iv. If the Parent/Player is not satisfied with the decision of the Manager, then details of the complaint should be made, in writing, to the Secretary who will convene a Meeting of the

Management Committee within (where possible) 14 days to attempt to resolve the complaint.

b) Manager's Complaint

- i. If the Manager has an issue with a Player which they have been unable to resolve through discussion between themselves then that player's parents or guardians will be informed.
- ii. If a problem arises with a Parent then the Manager will normally seek to initially address the individual concerned.
- iii. At all times the Manager will endeavour to speak with either parent or player confidentially.
- iv. If the Manager does not feel able to deal with the complaint, then the matter will be dealt with by the Club Management Committee.
- v. In some cases, if the Management Committee feels that the complaint to be of a serious nature then advice will be sought from the respective Youth League or The County FA Ltd.
- vi. Any formal complaint regarding an opposing team must be immediately reported by a member of the Management Committee (Club Secretary if perceived misconduct or Club Welfare Officer if deemed a Safeguarding or Welfare matter) who will discuss and, if they feel it is appropriate, forward this matter to the Youth League or The County FA Ltd.

c) Committee Complaint

- i. If, at any time, a complaint is made against a Committee Member then this matter must be dealt with by the Chairman.
- ii. In some cases, if the Chairman feels that the complaint to be of a serious nature then advice will be sought from other key committee members, a League Official or The County FA Ltd.
- iii. If the complaint is against the Chairman, then the matter will be dealt with by the rest of the Management Committee.

d) Other Party Complaint

- i. If any complaint is received from persons who are not Club Members (i.e. League Official, opposing teams, members of the public etc.), then it will be referred by the Secretary to the individual concerned for an explanation of events leading to the complaint.
- ii. This explanation should be made, in writing, to the Secretary within 48 hours.
- iii. The Secretary will convene an Emergency Meeting of the Committee to ensure that the Club is able to respond to the complaint within the necessary time scale required by the League or the complainant.

e) Complaints Involving Child Safety/Welfare

- i) Complaints of a sensitive nature involving allegations of Child Abuse/Child safety or any Child concerns must be brought to the attention of the Child Welfare Officer (CWO) in the most confidential manner by either a verbal or written communication.
- ii) Should an issue be raised in the form of verbal communication it must be followed up in writing within 48 hours. No other club members or committee members are to be informed.
- The (CWO) will decide what action is to be taken based on the information received by the complainant.

If, at any time, any person involved with the Club has a concern regarding the safety of any child they are encouraged to speak with the Child Welfare Officer in the strictest of confidence and no other party. Complaints of this nature will be dealt with under the direction of the (CWO) who may if required consult with senior Management Committee.

4. Aims of the Disciplinary Procedure

The Policy Aims:

To provide a mechanism for dealing with disciplinary and capability issues which may arise in a way which is fair, consistent, without discrimination and with the minimum delay. To provide an orderly means of correcting inadequate standards of conduct or Behaviour To ensure that Club Officials, Team Managers, Coaches, Players, representatives and parents are aware of their rights and obligations within the Club disciplinary and appeals process.

5. Disciplinary Procedure

The disciplinary procedure is to encourage all Club members, Officials, Players and Parents to achieve and maintain satisfactory standards of conduct, attendance and

behaviour. You are advised to familiarise yourself with this procedure. No disciplinary action will be taken against an individual without an investigation of the facts. This investigation will normally be undertaken by the Club Secretary at Stages One and Two. However, in the case of a Stage Three or Stage Four conduct investigation, this will be conducted by another person within the Club Management Committee or someone appointed by them. This person will report to the Club Secretary who will decide if the matter should proceed to a disciplinary hearing and, if so, the Club Secretary or appointed deputy will conduct the hearing. The hearing will normally be conducted with a panel of at least three (3) Management Committee members or Club Officials. The individual concerned will always be advised in writing (hard copy or email) of the nature of the complaints made against them and given the opportunity to state their case before a decision is made. However, an individual may be suspended from all or limited club activities whilst an investigation is being conducted.

6. Policy Terms

a) Misconduct:

Misconduct means any infringement of established standards of conduct or Behaviour and includes (but is not limited to) breaches of Club Rules, Associated League, National FA or County FA Rules, inadequate Performance of Club duties, lateness, absenteeism, poor attitude towards the Club, its officials or its members.

b) Gross Misconduct:

Where the Club has reasonable grounds for believing that a person has committed an act of gross misconduct or gross negligence whereby the person will be liable to be expelled from the Club and banned from any of its activities without notice or recall.

The following list provides examples of offences that are normally regarded as gross misconduct. **This list is not exhaustive and is meant only to serve as a guide:**

- i Abuse or maltreatment of a Club Official, Team Manager or Coach or a member of the public or member of an opposing team.
- ii Theft or attempted theft.
- iii Bribery or corruption.
- iv Malicious damage to Club property.
- v Fighting with, or physically striking another person.
- vi Fraudulent or dishonest behaviour.

- vii Gross insubordination.
- viii Indecency.
- ix Gross carelessness or negligence.
- x Serious disregard of safety rules.
- xi Unauthorised use of Club property or facilities.
- xii Serious breaches of confidentiality.
- xiii Unauthorised absence.
- xiv At Club matches or activities under the influence of alcohol or solvents or illegal drugs.
- xv Falsification of Club documents.
- xvi A breach of any of the list of rules when using email, social networking the internet (harassment, pornography, defamation, copyright, contracts and confidentiality).
- xvii Any behaviour or conduct inside or outside of the work place which, if it became public knowledge, would tend to damage the reputation of the Club or its interests.
- xviii Any act of discrimination, victimisation or harassment on the grounds of an individual's sex, race, disability, sexual orientation or religious belief.

7. Disciplinary Interviews

- a) Before any warning or disciplinary action is taken by the Club, a disciplinary meeting may be held with a person accused at which point they will have the opportunity to comment on the allegations against them.
- b)** The Club may write to in advance of the disciplinary meeting setting out the allegations and the meeting will not take place until the person has been informed of the basis of the allegations and had a reasonable opportunity to consider a response.
- c)** If the individual has already submitted a written response/explanation of actions then the meeting may be scheduled without further delay. All reasonable steps must be taken to attend the meeting. Unless further investigation is required; you will be

advised in writing of the decision taken by the Club Secretary within 14 days of the meeting or as soon as practicable after that.

8. Suspension from Club Activities:

- **a)** Where a serious incident has occurred it may not be appropriate for an individual to continue to attend Club matches or activities until the disciplinary process has been resolved. In these cases the individual will be suspended from attendance. They will not be disadvantaged financially and there will be no inference of guilt during this investigatory period. Suspension is not a disciplinary sanction.

- **b)** Alternatives to suspension e.g. a temporary break or restriction on the activities undertaken may also be considered. If the Club Management Committee decides to suspend an individual from Club activities then they will ensure the individual is informed accordingly (and in Writing by either hard copy or email following verbal notification) that the suspension is:
 - i Not disciplinary action or punishment.

 - ii Pending investigation or requiring further investigation of the allegation(s) and tell the individual what the allegation(s) are in as much detail that is available at the time of the suspension.

 - iii Preventing the individual (where relevant) from having access to sites, reserving the right to restrict IT access and access to Club Officials during the period of suspension.

 - iv The Club Secretary must notify the relevant Team Manager(s) that the individual will not be attending Club activities or matches.

 - v Suspension should initially be temporary and be for the shortest possible period. The need to continue the suspension must be reviewed regularly throughout the investigation. It may be appropriate to suspend an individual at any time during the investigation.

9. Records

Warnings will remain in force for 12 months even if any specified time for improvement has passed.

10. Appeals

- a) Your grievance/complaint and normally the outcome of the hearing are final. Should you wish to appeal, reasons for your appeal are to be submitted in writing to the Club Secretary. When the individual is informed of the outcome of a disciplinary meeting, he/she will be advised of their right to appeal against the disciplinary

decision.

b) The basis of the appeal must be made in writing within seven (7) calendar days of notification of the disciplinary action. The individual will be invited within seven (7) days of putting in your appeal to attend an appeal hearing.

c) Individuals attending appeal hearings have the same right to be accompanied as those attending disciplinary hearings. Unless further investigation is required, the decision in connection with the appeal will be notified to you in writing within seven calendar days of the appeal hearing or as soon as practical thereafter.

d) The decision on the appeal will be final. If it is necessary to spend longer than seven days investigating the appeal the Club Secretary may advise accordingly.

e) The outcome of this appeal is final. The grievance procedure may not normally be used for the purpose of appealing against a disciplinary decision. Your grievance outcome and right to the grievance process will terminate upon the conclusion of your association with the Club.

11. Criminal Offences

- a) Disciplinary action may be taken where an alleged offence in the course of Club activities is subject to criminal enquiries or prosecution. The Club may await the outcome of the prosecution but it may also take action based on the evidence available. The Club Management Committee will consider the implications for the Club and the involvement of the individual in any criminal proceedings / prosecution in relation to an offence outside of the Club and disciplinary action will be taken if deemed appropriate.

The Club Secretary and committee must consider in this situation:

- i The relevance of the offence to the position held by the individual.
- ii The expected standards of the individual.
- iii The breach of trust and responsibility vested in the individual in relation to the position held.
- iv The acceptableness of the individual to other Club members, parents, players and officials.
- v The potential risk to the public, other club members, players, parents and officials or to the individuals themselves.
- vi The potential damage to the reputation of Club and/or its interests.

c) Individual Rights

Each individual has the right:

- i To be treated fairly and consistently.
- ii To view the Club disciplinary and grievance rules.
- iii To be advised of any complaint or allegation made against them that is the subject of investigation and to have the opportunity to prepare and state their case.
- iv To be accompanied by a colleague at all disciplinary hearings including any appeal hearing.
- v To be made aware of the identity of Club Officials authorised to take disciplinary action, including expulsion against them.
- vi To review all relevant documentary evidence, statements, records and reports.
- vii The Stages of the disciplinary procedure are described below.
- viii The Club reserves the right to initiate the procedure at any stage or to jump stages depending on the gravity of the offence and the circumstances of the particular case.
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- d) Stages of the Disciplinary Procedure:

Conduct or issues of a minor nature will initially be dealt with outside the formal procedure through difference measures such as training, peer mentoring, dialogue, and counselling. However where the matter is more serious or cannot be resolved through these measures the following procedure will be followed:

Stage One - First Official Warning (Verbal):

- i If the conduct, performance or behaviour does not meet acceptable standards the individual will normally be given a formal verbal warning.
- ii They will be advised of the reason for the warning and that it is the first stage of the disciplinary procedure and advised of the right of appeal. The purpose of this warning is to resolve the issues before they reach a more serious level.
- iii This warning will be recorded on file by the Club Secretary and will include details of the complaint, any improvement required and the timescale for such improvement and will record that further action will be considered if there is further misconduct or a failure to satisfactorily improve conduct, performance or

behaviour.

Stage Two - First Written Warning:

- i If the offence is a more serious one, or if a further offence occurs, or if the performance does not improve satisfactorily, a written warning will be given to the individual.

- ii This will give details of the complaint, any improvement required and the timescale for such improvement. It will warn that further action will be considered if there is further misconduct or a failure to satisfactorily improve performance, conduct or behaviour.

Stage Three - Final Warning (Written):

i In the event of any further misconduct or a failure to improve performance, conduct or behaviour satisfactorily or a more serious offence, the individual will receive a final warning. This written warning will set out the details of the complaint, any improvement required and the timescale for such improvement as well as the likely consequences of any further misconduct or failure to improve satisfactorily.

Stage Four - Disciplinary Action Following Gross Misconduct or a Final Written Warning:

- i In the event of further misconduct following the final warning, failure to satisfactorily improve performance, behaviour or gross misconduct, the individual will be liable to be expulsion depending upon the outcome of the disciplinary hearing. Expulsion for gross misconduct will be without notice or any payment.

- ii The Club Committee shall have the power to expel a member when, in their opinion, it would not be in the interests of the Club for them to remain a member. An appeal against such a decision may be made to the Club Committee via the Club Secretary who will set up an appeal hearing to include 3 members of the management committee. Decisions taken by the management appeal committee will be final and not open to further appeals from within the Club.

- iii As an alternative to expulsion in a small amount of cases and with the agreement of the individual, The Club Secretary and Management Committee may decide that other sanctions such as long term or self-imposed suspension from Club activities may be considered as a suitable remedy.

- iv If the Club Secretary and Management committee considers that it is an appropriate case for an alternative to be considered, then the individual will be notified in writing (hard copy or email) in which the options will be clearly set out.

- v The individual will have seven (7) days in which to decide whether or not to accept the alternative to expulsion. Accepting the alternative to does not affect the right to appeal against the disciplinary decision.

e) Fines and Monetary Penalties

- i In the event of a fine being incurred by an individual as a result of his/her actions whilst undertaking any activity related to the Club (i.e. yellow/red card, referees report etc) the individual involved is responsible for the payment in full of the amount owing.
- ii This money must be paid to the Club Secretary by the required date and it will be passed on to the relevant Authority. If a fine is incurred by the club as a direct result of the actions of an individual person or a team with respect to misconduct or any other reason than the Individual person and/or the team are responsible for the payment of the fine.
- iii The respective Team Manager and if necessary the Club Secretary will decide who is liable should this be unclear. This payment will be made to the Club Treasurer when required and it will be passed on to the relevant authority.

The Club reserves the right to further develop the disciplinary Rules and procedures. At any stage of the disciplinary process, procedural changes will not apply to disciplinary cases that are currently being investigated.